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PTO/SB/05 (06-03)
Approved for use through 07/31/2003. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

Beiersdorf 700.1-HCL

First Inventor

Heinrich Gers-Barlag

Title

See Appendix

Express Mail Label No.

EY 328768935 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 24]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets _____]
5. Oath or Declaration [Total Sheets _____]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Reader Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS/PTO-1449) [Copies of IDS Citations _____]
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Appendix Certificate of Express Mail

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation

☒ Divisional

☐ Continuation-in-part (CIP)

of prior application No.: 09/744,496

Prior application information:

Examiner Marina Lamm

Art Unit: 1616

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The Incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS



Customer Number:

27,384

OR ☐

Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

HOWARD C. LEE

Registration No. (Attorney/Agent)

48,104

Signature

Howard C. Lee

Date

25 July 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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08306 U.S. PTO
10/627541

07/25/03

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$750.00

Complete if Known

| | |
|----------------------|-----------------------------|
| Application Number | To Be Assigned |
| Filing Date | To Be Assigned |
| First Named Inventor | Heinrich Gers-Barlag et al. |
| Examiner Name | To Be Assigned |
| Group Art Unit | To Be Assigned |
| Attorney Docket No. | Beiersdorf 700.1-HCL |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 14-1263

Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|------------------------|-------------|
| 1001 | 2001 | 750 | 375 | Utility filing fee | 750.00 |
| 1002 | 2002 | 330 | 165 | Design filing | |
| 1003 | 2003 | 520 | 260 | Plant filing fee | |
| 1004 | 2004 | 750 | 375 | Reissue filing | |
| 1005 | 2005 | 160 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$ 750.00) |

2. EXTRA CLAIM FEES FOR UTILITY AND

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 13 | -20** = 0 | X 18.00 = 0.00 | |
| Independent Claims | 1 - 3** = 0 | X 84.00 = 0.00 | |
| Multiple Dependent | | | |

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|--|-----------|
| 1202 | 2202 | 18 | 9 | Claims in excess of 20 | |
| 1201 | 2201 | 84 | 42 | Independent claims in excess of 3 | |
| 1203 | 2203 | 280 | 140 | Multiple dependent claim, if not paid | |
| 1204 | 2204 | 84 | 42 | ** Reissue independent claims over original patent | |
| 1205 | 2205 | 18 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | | (\$ 0.00) |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|--|----------|
| 1051 | 2051 | 130 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 2052 | 50 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 1053 | 130 | 130 | Non - English specification | |
| 1812 | 1812 | 2,520 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 1804 | 920* | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1805 | 1,840* | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 2251 | 110 | 55 | Extension for reply within first month | |
| 1252 | 2252 | 410 | 205 | Extension for reply within second month | |
| 1253 | 2253 | 930 | 465 | Extension for reply within third month | |
| 1254 | 2254 | 1,450 | 725 | Extension for reply within fourth month | |
| 1255 | 2255 | 1,970 | 985 | Extension for reply within fifth month | |
| 1401 | 2401 | 320 | 160 | Notice of Appeal | |
| 1402 | 2402 | 320 | 160 | Filing a brief in support of an appeal | |
| 1403 | 2403 | 280 | 140 | Request for oral hearing | |
| 1451 | 1451 | 1,510 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 2452 | 110 | 55 | Petition to revive - unavoidable | |
| 1453 | 2453 | 1,300 | 650 | Petition to revive - unintentional | |
| 1501 | 2501 | 1,300 | 650 | Utility issue fee (or reissue) | |
| 1502 | 2502 | 470 | 235 | Design issue fee | |
| 1503 | 2503 | 630 | 315 | Plant issue fee | |
| 1460 | 1460 | 130 | 130 | Petitions to the Commissioner | |
| 1807 | 1807 | 50 | 50 | Processing fee under 37 CFR § 1.17(q) | |
| 1806 | 1806 | 180 | 180 | Submission of Information Disclosure Statement | |
| 8021 | 8021 | 40 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 2809 | 750 | 375 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 2810 | 750 | 375 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 2801 | 750 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 1802 | 900 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type) Howard C. Lee

Registration No. (Attorney/Agent)

48,104

Complete (if applicable)

Telephone

(212) 808-0700

Signature

Howard C. Lee

Date

25 July 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

TITLE: EMULSIFIER-FREE FINELY DISPERSED SYSTEMS OF THE
OIL-IN-WATER AND WATER-IN-OIL TYPE

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EV 328768935 US

Date of Deposit: 25 July 2003

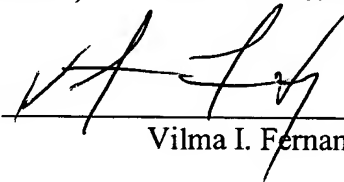
I hereby certify that the following items:

1. Utility Patent Application Transmittal
2. Fee Transmittal (in duplicate)
3. Preliminary Amendment
4. Copy of executed Combined Declaration/Power of Attorney (two (2) pages)
5. Specification (twenty-four (24) pages), including:
 - Description (pp. 1-21);
 - Claims (pp. 22-23); and
 - Abstract (last page)
6. Information Disclosure Statement
7. Form PTO-1449 (citing and attaching eleven(11) references (a copy of U.S. 4,045,589 is enclosed))
8. Appendix citing Title, List of Inventors, Claim to Priority, Assignment information and certificate of mailing
9. return receipt postcard

are being deposited with the United States Postal Services Express Mail, Post Office to Addressee service under 37 CFR 1.10, on the date indicated above and is addressed to: MAIL STOP PATENT APPLICATION, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By



Vilma I. Fernandez